

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.37969 of 2017

ORDER:

In this writ petition, the challenge is to the proceedings, dated 21.10.2017, of the 3rd respondent *vide* Rc.No.266/ A6/ 2017, whereby the petitioner was instructed to shift his A4 shop from the present existing premises to another premises.

Learned counsel for the petitioner would submit that the 3rd respondent is not the competent authority to issue such proceedings and that the Commissioner, Prohibition & Excise, is the only competent authority.

Learned Government Pleader representing the respondents endorses the said submissions.

Recording the afore-said submissions, the Writ Petition is allowed and the afore-stated proceedings, which are impugned in the writ petition, are set aside. However, this order shall not preclude the competent authority from issuing a fresh notice to the petitioner and proceeding in the matter in accordance with the procedure established by law.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

15.11.2017
Vjl